

Commonwealth of Pennsylvania
 Governor's Office of Administration
Public Safety Radio Technology Bulletin

ID and Title:	RTB009 System Use Outside Commonwealth Government
Issued by:	Deputy Secretary for Public Safety Radio

Supporting Documents

Type	Document ID	Title
AD	USE009-01	PA-STARNet User Agreement
AD	USE009-02	Application for System Use
CD	GEN003	Categories of Using Organization

Record of Changes

Ver.Rel	Issue date	Revised by	Status	Description
1.0	9/30/2008	J Seefeldt	Downlevel	Original issue
1.1	2/2/2009	J Seefeldt	Downlevel	Remove categorization and rename from "USE009".
1.2	3/13/2009	J Seefeldt	Downlevel	Fix minor errors in document format; other minor wording changes for clarification.
1.3	11/9/2009	J Seefeldt	Published	Fix incorrect cross-reference in 3.6; conform to OA usage rule for capitalization of "commonwealth."

1. Purpose

This policy establishes guidelines for the use of the Pennsylvania Statewide Radio Network (PA-STARNet) by organizations outside Commonwealth of Pennsylvania government.

2. Scope

This policy applies to all organizations outside commonwealth government using or proposing to use PA-STARNet for voice or data communications. (See Common Document GEN003, *Categories of Using Organization*, for a taxonomy of organizations using PA-STARNet.)

3. Policy

3.1. The primary use of PA-STARNet is public safety voice and data communication for coordination and cooperation among commonwealth agencies and among commonwealth agencies and other governmental entities, especially for emergency response (Commonwealth Management Directive 245.15, *Statewide Public Safety Radio System*). Other uses may be permitted consistently with the criteria outlined in this Radio Technology Bulletin (RTB) and with all other applicable legislation, regulations, policies, and licenses. Primary system use comprises the following categories of using organization:

- 3.1.1. Commonwealth agencies
- 3.1.2. Sponsored organizations
- 3.1.3. Legacy business partners

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- 3.1.4. State or county interoperability partners
- 3.2. All use of PA-STARNet shall be at the sole discretion of the commonwealth, acting through the Office of Public Safety Radio Services (OPRS).
- 3.3. Access to PA-STARNet shall be granted to organizations outside commonwealth government based on the following criteria, in the determination of the Deputy Secretary for Public Safety Radio in consultation with the Secretary of Administration:
 - 3.3.1. Public safety benefit to a significant population or geographical area within the commonwealth.
 - 3.3.2. Availability of PA-STARNet system resources to support the proposed use.
 - 3.3.3. Availability of funding for the proposed use, whether from commonwealth sources or from external sources, including cost-sharing arrangements.
 - 3.3.4. Any nonmonetary considerations offered for system use that are beneficial to the operation or continued development of PA-STARNet, such as Radio Frequency (RF) licenses, tower space, and infrastructure sites.
- 3.4. Approval of applications for access to PA-STARNet by organizations outside commonwealth government depends on the level of access requested, according to the definitions in **4. Definitions** below.
 - 3.4.1. Applications for direct subscriber use for routine communication require the approval of the Secretary of Administration in consultation with the Governor's Office.
 - 3.4.2. Applications for gateway use, or for direct subscriber use for occasional communication only, require the approval of the Deputy Secretary for Public Safety Radio in consultation with the Secretary of Administration.
 - 3.4.3. Organizations outside commonwealth government using PA-STARNet prior to the date of publication of this RTB shall be permitted to continue using PA-STARNet according to the prevailing level of use to that date without explicit application and approval, at the sole discretion of the authority specified above for that level.
 - 3.4.4. No organization using PA-STARNet shall deploy or make use of any software application using PA-STARNet as a data transport without the prior review and approval of OPRS.
 - 3.4.5. A fully executed written agreement setting forth the terms and conditions of PA-STARNet use, adopted by the commonwealth and the using organization according to a form of agreement appropriate under the laws and policies of the commonwealth (see Associated Document *USE009-01 PA-STARNet User Agreement*), shall be a prerequisite of PA-STARNet use by any organization outside commonwealth government, with the following exceptions:
 - 3.4.5.1. Any organization outside commonwealth government using PA-STARNet for gateway communication or for direct

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subscriber communication prior to the date of publication of this RTB without a formal written agreement is permitted to continue system use for up to one year from that date, after which it must enter into an agreement.

- 3.4.5.2. OPRS may from time to time, at its discretion, permit PA-STARNet use outside the scope of a formal agreement if that use falls within the network's general charter and contributes to serving an overriding and immediate public safety need, or is otherwise limited to a specific purpose that is clearly defined both in scope and duration.
- 3.5. The using organization shall agree to pay the commonwealth a monthly usage fee in the amount then current as specified in the user agreement, payable quarterly in advance, for a maximum number of users as specified in the user agreement.
 - 3.5.1. Using organizations in the following categories are exempt from the usage fee:
 - 3.5.1.1. Commonwealth agencies and sponsored organizations.
 - 3.5.1.2. The Pennsylvania State System of Higher Education, including any of its member institutions.
 - 3.5.1.3. Pennsylvania metropolitan transportation authorities.
 - 3.5.1.4. Pennsylvania counties.
 - 3.5.1.5. Pennsylvania cities, towns, municipalities, boroughs, and townships.
 - 3.5.1.6. Volunteer organizations as defined in the *Pennsylvania Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act of 1976* (72 P.S. § 3943.1, et seq.).
 - 3.5.2. If, during a quarter, the using organization either increases or reduces the number of PA-STARNet users, the next quarterly payment shall be adjusted to reflect the number of users at the start of that quarter.
 - 3.5.3. On the anniversary date of the user agreement, the commonwealth may increase the usage fee upon not less than 90 days written notice to the using organization.
 - 3.5.3.1. The first increase cannot exceed ten dollars (\$10) per user per month.
 - 3.5.3.2. After the first increase, no increase in usage fee can exceed five percent (5%) per user per month.
- 3.6. PA-STARNet use by any organization without approval and without a current agreement for use, except as specified in Paragraph **3.4** above, shall be subject to termination by OPRS.
- 3.7. The commonwealth reserves the right to discontinue PA-STARNet use by any using organization upon 90 days written notice by the Secretary of Administration or the Deputy Secretary for Public Safety Radio.

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- 3.8. Use of PA-STARNet by organizations outside commonwealth government for communication of any type, whether voice or data, gateway or direct, shall be according to all applicable commonwealth policies and procedures.
- 3.9. During an emergency, PA-STARNet use shall be subject to reallocation of system resources to ensure reliable emergency responder communication in support of incident response.

4. Definitions

- 4.1. Commonwealth agency
Any department, board, commission, or council that is a formally designated functional subdivision of commonwealth government.
- 4.2. Sponsored organization
An organization under sponsorship of a commonwealth agency using PA-STARNet, whose mission and operations support or complement that agency's mission and operations and whose fleet configuration and system use are under the oversight and supervision of that agency. For example, the regional emergency task forces use PA-STARNet under the sponsorship of the Pennsylvania Emergency Management Agency (PEMA).
- 4.3. Direct subscriber use
Use of PA-STARNet by direct subscriber device authentication and registration on the network for data or voice communication.
- 4.4. Gateway use
Use of PA-STARNet for data or voice communication by a method of connection other than direct subscriber device registration, such as a gateway connection with an external legacy radio system.
- 4.5. Routine communication
Direct subscriber use of PA-STARNet as an organization's primary means of two-way wireless communication in support of that organization's operations.
- 4.6. Occasional communication
Direct subscriber use or gateway use of PA-STARNet that is not routine as defined above, typically for emergency response, for exercises and other activities in support of or in preparation for emergency response, or for other ad hoc communication that is limited in duration and regularity.
- 4.7. Inbound data traffic
Data transmissions using PA-STARNet for data transport, originating from a device or devices outside PA-STARNet and directed to a device or devices connected to PA-STARNet.
- 4.8. Outbound data traffic
Data transmissions using PA-STARNet for data transport, originating from a device or devices connected to PA-STARNet and directed to a device or devices outside PA-STARNet.

5. Responsibilities

- 5.1. The Secretary of Administration is responsible for the following:
 - 5.1.1. Consulting with the Deputy Secretary for Public Safety Radio in evaluation of applications by organizations outside commonwealth

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- government for gateway use of PA-STARNet, or for direct subscriber use for occasional communication only.
- 5.1.2. Evaluating applications by organizations outside commonwealth government for direct subscriber use for routine communication.
- 5.1.3. Consulting with the Deputy Secretary for Public Safety Radio in evaluating any applicant appeals of decisions by OPRS concerning applications for PA-STARNet use by organizations outside commonwealth government.
- 5.1.4. Responding to any applicant appeals of decisions by OPRS concerning applications for PA-STARNet use by organizations outside commonwealth government, if warranted.
- 5.2. The Deputy Secretary for Public Safety Radio is responsible for the following:
 - 5.2.1. Ensuring compliance with this policy.
 - 5.2.2. Evaluating applications by organizations outside commonwealth government for gateway use of PA-STARNet, or for direct subscriber use for occasional communication only.
 - 5.2.3. Receiving any applicant appeals of decisions by OPRS concerning applications for PA-STARNet use by organizations outside commonwealth government and ensuring their proper administration and evaluation according to this policy.
- 5.3. OPRS is responsible for the following:
 - 5.3.1. Administration of PA-STARNet according to the policies, procedures, requirements, and priorities specified in this RTB.
 - 5.3.2. Administration of the application and evaluation process for use of PA-STARNet by organizations outside commonwealth government.
 - 5.3.3. Review of any proposed software using PA-STARNet as a data transport to evaluate compatibility with PA-STARNet technology and consistency with available resources.
 - 5.3.4. Support of the Secretary of Administration and the Deputy Secretary for Public Safety Radio in evaluating applications for use of PA-STARNet by organizations outside commonwealth government, and in evaluating any applicant appeals of OPRS decisions concerning those applications.
- 5.4. Organizations outside commonwealth government interested in use of PA-STARNet are responsible for the following:
 - 5.4.1. Applying for permission for the intended level of use according to the policies and procedures set forth in this RTB.
 - 5.4.2. Using PA-STARNet according to the approved level of use, the terms and conditions set forth in the agreement for use, and all applicable policies and procedures for use.

6. Procedures

- 6.1. Organizations outside commonwealth government applying for consideration to use PA-STARNet shall provide the following information by e-mail to the address

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specified below under **8. Questions**, using the form provided in Associated Document USE009-02, *Application for System Use*:

- 6.1.1. Organization name (full formal name).
- 6.1.2. Description of organization, including mission, type (government, nonprofit, commercial), and management.
- 6.1.3. Official able to bind the organization (full name, title, address, telephone number, e-mail address).
- 6.1.4. Requested date to begin PA-STARNet use (no earlier than 30 days from date of application).
- 6.1.5. Level of intended use:
 - 6.1.5.1. Gateway.
 - 6.1.5.2. Direct subscriber, occasional.
 - 6.1.5.3. Direct subscriber, routine.
- 6.1.6. Intended PA-STARNet voice use:
 - 6.1.6.1. Nature and circumstances of use for voice communication.
 - 6.1.6.2. Method of connection to PA-STARNet (direct subscriber device registration, interoperability gateway, or other, including technical details).
 - 6.1.6.3. Approximate number of voice users.
 - 6.1.6.4. Subscriber equipment to be used with PA-STARNet.
 - 6.1.6.5. Approximate number of subscriber devices.
 - 6.1.6.6. Approximate anticipated number of voice calls (Push-to-Talks) per week.
- 6.1.7. Intended PA-STARNet data use (if any):
 - 6.1.7.1. Nature and circumstances of use for data communication.
 - 6.1.7.2. Data applications using PA-STARNet for data transport.
 - 6.1.7.3. Estimated outbound data traffic per week, in kilobytes.
 - 6.1.7.4. Estimated inbound data traffic per week, in kilobytes.
- 6.2. OPRS shall provide timely and thorough review of applications to use PA-STARNet, issuing a written determination to the originating organization specifying one of the following outcomes:
 - 6.2.1. Approval of the proposed use.
 - 6.2.2. Conditional approval of use according to specified limits or conditions.
 - 6.2.3. Rejection of the application, with one or more reasons specified.
- 6.3. An organization whose application is rejected can appeal in writing to the Deputy Secretary for Public Safety Radio, with a copy to the Secretary of Administration, including the following in the letter of appeal:
 - 6.3.1. Request for reconsideration.

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- 6.3.2. Presentation of the rationale for appeal.
- 6.3.3. Attachment of the original application.
- 6.3.4. Attachment of the OPRS response rejecting the original application.
- 6.4. OPRS shall provide timely and thorough review of any appeal in consultation with the Secretary of Administration, issuing a written determination reaffirming, revising, or reversing its original determination. If the Secretary of Administration does not object or intervene within ten business days following issuance of the OPRS determination, that determination shall be final.

7. Exemption

Any affected entity seeking exemption from this policy shall complete and submit a *Public Safety Radio Standards Waiver Request*, and submit it by e-mail to RA-RadioPolicy@state.pa.us for review.

8. Questions

Any questions about this policy statement are to be directed by e-mail to RA-RadioPolicy@state.pa.us.